



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,885	10/10/2001	William R. Bush	6502.0357-00	2176

22852 7590 02/07/2007
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER

DADA, BEEMNET W

ART UNIT	PAPER NUMBER
----------	--------------

2135

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 09/976,885	Applicant(s) BUSH ET AL.	
	Examiner Beemnet W. Dada	Art Unit 2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/24/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 16, 2006 has been entered. Claims 1, 18 and 25 have been amended. Claims 1-29 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-29 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-6, 10-21 and 25-29 are rejected under 35 U.S.C. 102(e) as being anticipate by LaMacchia et al. US 7,076,557 B1 (hereinafter LaMacchia).

Art Unit: 2135

5. As per claims 1, 18 and 25, Lamacchia teaches a method for providing security, comprising:

separating a plurality of classes of an application code (i.e., code assemblies, see for example, figure 2, main code assembly 202, parser code assembly 204) into at least a first trusted class and an un-trusted class (i.e., having different level of permission grant/partially trusted & trusted code) [column 7, lines 20-50 and column 9, line 1-31];

associating privilege information with the first trusted class (i.e., associating permission grants with the application code)[figure 2A-2B and column 7, lines 13-30]; and

controlling access to the first trusted class by the un-trusted class or a second trusted class based upon the privilege information associated with the first trusted class [column 8, line 57-column 9, line 9 and figure 4A steps 409-424].

6. As per claims 2, 4-6, 27 and 29 Lamacchia further teaches the method further comprising: granting the untrusted class or the second trusted class a privilege related to the first trusted class based upon a permissive attribute of the privilege information and wherein the step of controlling access depends upon the privilege [column 8, line 57-column 9, line 9 and figures, 2A, 4A steps 409-424].

7. As per claims 3, 26 and 28 Lamacchia further teaches the method further comprising: refusing to grant the untrusted class or second trusted class a privilege related to the first trusted class based upon a permissive attribute of the privilege information and wherein controlling access depends upon the privilege [figure 4A steps 409-424].

Art Unit: 2135

8. As per claim 10, Lamacchia further teaches the method wherein the step of separating the classes further comprises allocating a separate memory space for the first trusted class and the un-trusted class [column 7, lines 3-19].

9. As per claims 11-14, Lamacchia further teaches the method wherein the privilege information further comprises a plurality of permissive attributes [column 7, lines 31-49 and column 8, lines 39-56].

10. As per claims 15-17, Lamacchia further teaches the method wherein controlling access to the first trusted class further comprises: detecting when a request for a trusted class operation is made by the un-trusted class or second trusted class, determining that the trusted class operation is authorized based on the privilege information associated with the first trusted class, and allowing access to the first trusted class according to the trusted class operation [column 16, lines 25-40, figure 4A, steps 412, 409, 422 and 424].

11. As per claims 19-21, Lamacchia further teaches the method wherein the request received by the controller is one of the group of a subclass attribute, a new instance attribute, a method invocation attribute, and a trusted data access attribute [column 7, lines 14-49].

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2135

13 Claims 7-9 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over LaMacchia et al. US 7,076,557 B1 (hereinafter LaMacchia) in view of Papa et al. (Ref U of Form 892 sent on 2/09/06).

14. As per claims 7-9 and 22-24 Lamacchia teaches the method as applied to claims 1 and 18 above. Lamacchia is silent on separating classes further comprising associating a package with a trusted class. However, Papa et al teaches associating a package with a trusted class, wherein associating the package further comprises encapsulating the first trusted class within the package [see page 67-68, sections 2.1, java package protection model, 2.2 authorization model]. It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to employ the teachings of Papa et al within the system of Lamacchia thereby allowing associating a package with a trusted class and providing protection within a package level.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W. Dada whose telephone number is (571) 272-3847. The examiner can normally be reached on Monday - Friday (9:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2135

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Beemnet W Dada

February 3, 2007



KIM VU

SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2